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Identical letters dated 15 February 2013 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

On instructions from my Government, I should like to draw your attention to the following information:

The Turkish Government continues to interfere blatantly, both directly and indirectly, in Syria's internal affairs. By doing so, it is violating the letter and spirit of the Charter of the United Nations, international law and the rules governing relations between States, thereby threatening peace and security in the region and the rest of the world. That Government has intensified the hostility of its stance towards Syria by attempting to hinder implementation of the political programme proposed by the President of the Republic and the subsequent practical steps taken by the Syrian Government to implement that programme as a peaceful, political solution to the crisis in Syria. It has also been putting pressure on certain members of the Syrian opposition to reject this programme. On the other hand, Turkey has allowed armed terrorist groups, including, most importantly, Al-Qaida, as well as the Nusra Front and other terrorist organizations, to assemble, take refuge, receive funding and arms, engage in smuggling and enter Syrian territory. It is also openly supporting and justifying the destructive acts of terrorism those groups commit, including the killing of innocent civilians and the systematic destruction of infrastructure, Government buildings, public and private factories and institutions, and public and private property.

Under the rules and principle of international law and the principles that govern international relations and good-neighbourly relations, the actions of the Turkish Government are a stark violation of the rules and principles of international law. The Turkish Government is in violation of Article 2, paragraph 4, of the Charter, which provides that "all Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations". It is also in violation of the Declaration on Principles of

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International Law Concerning Friendly Relations and Cooperation among States in Accordance with the Charter of the United Nations (General Assembly resolution 2625 (XXV)), which provides:

> "... the practice of any form of intervention not only violates the spirit and letter of the Charter, but also leads to the creation of situations which threaten international peace and security".

Under the heading "The principle concerning the duty not to intervene in matters within the domestic jurisdiction of any State, in accordance with the Charter", the Declaration provides the following:

> "No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. Consequently, armed intervention and all other forms of interference or attempted threats against the personality of the State or against its political, economic and cultural elements, are in violation of international law".
>
> "Also, no State shall organize, assist, foment, finance, incite or tolerate subversive, terrorist or armed activities directed towards the violent overthrow of the regime of another State, or interfere in civil strife in another State".
>
> "Every State has an inalienable right to choose its political, economic, social and cultural systems, without interference in any form by another State".

Under the heading "The principle of equal rights and self-determination of peoples", the Declaration provides: "Every State shall refrain from any action aimed at the partial or total disruption of the national unity and territorial integrity of any other State or country".

The Turkish Government is also in violation of the 1986 judgement of the International Court of Justice in the case of *Nicaragua v. United States of America*. In that judgement, the Court stated that "... if one State, with a view to the coercion of another State, supports and assists armed bands in that State whose purpose is to overthrow its government, that amounts to an intervention in its internal affairs, whatever the political objective of the State giving support". This is precisely what Turkey is doing when it supports the armed Syrian opposition.

The Court further added that "... a prohibited intervention must be one bearing on matters in which each State is permitted, by the principle of State sovereignty, to decide freely .... Intervention is wrongful when it uses, in regard to such choices, methods of coercion, particularly force, either in the direct form of military action or in the indirect form of support for subversive activities in another State".

Turkey also continues to violate Security Council resolution 1373 (2001), in particular paragraphs 3 (f) and (g), in which the Council calls upon all States to:

> "Take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum-seeker has not planned, facilitated or participated in the commission of terrorist acts;
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> "Ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims

of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists".

In view of Turkey's continued and stark violation of the principles and rules of international law and good-neighbourly relations, it is incumbent on the international community, in its entirety, to prevent the Turkish Government and those regional and international actors that are conspiring against Syria from continuing in their course of action, which is tantamount to an act of aggression. It must also compel the Turkish Government to desist from intervening in Syria's internal affairs, violating its sovereignty and attempting to break up Syria and undermine its national unity and territorial integrity. It must furthermore be compelled to control its borders and cease harbouring, training, financing and supporting armed terrorist groups, including Al-Qaida, as well as the Nusra Front and other groups that cooperate with Al-Qaida, that are taking refuge and receiving training in Turkish territory and from which they are launching their operations.

The Syrian Government reiterates its respect for the friendly Turkish people. It believes that the actions of certain States and the Turkish Government, in particular, are aimed at hindering and undermining the significant measures taken by the Syrian Government to implement the political programme for resolving the Syrian crisis through the cessation of hostilities, as a matter of priority, in the context of a concerted effort aimed at initiating national dialogue, reconciliation and reconstruction, re-establishing stability and security in Syria and the region, and maintaining international peace and security.

I should be grateful if this letter could be circulated as a document of the General Assembly, under agenda item 105, and of the Security Council.

(*Signed*) Bashar **Ja'afari**
Permanent Representative of
the Syrian Arab Republic to the United Nations